



2026:CGHC:21414



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 4238 of 2026

Manuraj Mourya S/o Shri Deshraj Mourya Aged About 33 Years (Wrongly Mentioned As Deshmukh Mourya In Chargesheet And Order Sheet of Trial Court) R/o Gurunanak Chowk Torwa Police Station Torwa Tehsil And District-Bilaspur (C.G.)

... Applicant

versus

State of Chhattisgarh Through-Station House Officer, Police Station Khamhardih Raipur, District- Raipur (C.G.)

... Non-applicant

For Applicant : Mr. Chandresh Shrivastava, Advocate.

For Non-applicant/State : Mr. Sourabh Sahu, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

07.05.2026

1. This is the **third bail application** filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 42/2025 registered at Police Station Khamhardih, District Raipur (C.G.), for the offences punishable under Section 310(2), 331(5), 123, 351(3), 61(2), 168, 238 of the Bhartiya Nyaya Sanhita, 2023 and Sections 25 and 27 of the Arms Act.



2. The first and second bail applications of the present applicant were rejected on merits by this Court in MCRC No. 2432 of 2025 and MCRC No. 6583 of 2025 vide orders dated 13.05.2025 and 20.08.2025, respectively.
3. As per the prosecution case, the complainant lodged a complaint before the concerned police station alleging that, on the date of the incident, some unknown persons entered his house and looted cash amounting to Rs. 66,25,000/-, three gold chains, and three old mobile handsets, collectively valued at approximately Rs. 66,00,000/-, by threatening him with a pistol, and thereafter fled from the place of occurrence. Based upon the said complaint, the police registered an offence under Sections 310(2), 331(5), 123, 351(2), and 61(2) of the Bharatiya Nyaya Sanhita, as well as Sections 25 and 27 of the Arms Act, against unknown persons. During the course of investigation, the police arrested the present applicant on the basis of the memorandum statement of a co-accused, and after completion of the investigation, filed a charge-sheet against 10 persons, including the present applicant, for offences punishable under Sections 310(2), 331(5), 123, 351(3), 61(2), 168, and 238 of the Bharatiya Nyaya Sanhita, along with Sections 25 and 27 of the Arms Act.
4. Learned counsel for the applicant submits that this is the third bail application filed on behalf of the applicant. The first and second bail applications of the present applicant were rejected on merits by this Court in MCRC No. 2432 of 2025 and MCRC No. 6583 of 2025 vide orders dated 13.05.2025 and 20.08.2025, respectively. He further submits that out of 21 prosecution witnesses, 09 witnesses have already been examined. He also submits that a co-accused, namely, Shahid Taj, has already been enlarged on bail by this Court in MCRC No. 3512 of



2026 vide order dated 24.04.2026. He submits that the applicant has no criminal antecedents and has been in custody since 14.02.2025. As the conclusion of the trial is likely to take some time, he therefore prays for grant of regular bail to the applicant.

5. On the other hand, learned State counsel opposes the bail application of the present applicant.
6. I have heard learned counsel for the parties and perused the case diary.
7. Considering the facts and circumstances of the case, particularly the fact that this is the third bail application, and further considering that out of 21 prosecution witnesses, 09 witnesses have already been examined, this Court notes that the trial is still likely to take considerable time for its conclusion. This Court also takes into account that a similarly situated co-accused, namely, Shahid Taj, has already been enlarged on bail by this Court in MCRC No. 3512 of 2026 vide order dated 24.04.2026. Moreover, the applicant has no criminal antecedents and has remained in custody since 14.02.2025. Therefore, without commenting on the merits of the case, this Court is of the considered opinion that the applicant is entitled to be enlarged on regular bail.
8. Let the Applicant – **Manuraj Mourya**, involved in Crime No. 42/2025 registered at Police Station Khamhardih, District Raipur (C.G.), for the offences punishable under Section 310(2), 331(5), 123, 351(3), 61(2), 168, 238 of the Bhartiya Nyaya Sanhita, 2023 and Sections 25 and 27 of the Arms Act, be released on bail on his furnishing **personal bond** with **two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-

- (i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case



of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

**Sd/-
(Ramesh Sinha)
Chief Justice**